

Mail Stop Interference
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Paper 1
Filed: 24 May 2010

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

**RICHARD W. ARNOLD, WELDON BEARDAIN,
DANIEL W. PREVEDEL, DONALD E. RILEY
and LESTER L. WILSON**
Junior Party
(Application 09/164,580),

v.

CURTIS NATHAN POTTER
Senior Party
(Patent 6,028,437).

Patent Interference No. 105,752 (SCM)
(Technology Center 2800)

DECLARATION –Bd.R. 203(b)¹

¹ “Bd.R. x” may be used as shorthand for “37 C.F.R. § 41.x”. 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1 **Part A. Declaration of interference**

2 An interference is declared (35 U.S.C. § 135(a)) between the above-
3 identified parties. Details of the application(s), patent (if any), reissue
4 application (if any), count(s) and claims designated as corresponding or as
5 not corresponding to the count(s) appear in Parts E and F of this
6 DECLARATION.

7 **Part B. Judge managing the interference**

8 Administrative Patent Judge Sally C. Medley has been designated to
9 manage the interference. Bd.R. 104(a).

10 **Part C. Standing order**

11 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies
12 this DECLARATION. The STANDING ORDER applies to this
13 interference.

14 **Part D. Initial conference call**

15 A telephone conference call to discuss the interference is set for **1:00**
16 **p.m. on 20 July 2010** (the Board will initiate the call).

17 No later than **four business days** prior to the conference call, each
18 party shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions
19 (Bd.R. 120; Bd.R. 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

20 A sample schedule for taking action during the motion phase appears
21 as Form 2 in the STANDING ORDER. Counsel are encouraged to discuss
22 the schedule prior to the conference call and to agree on dates for taking
23 action. A typical motion period lasts approximately eight (8) months.
24 Counsel should be prepared to justify any request for a shorter or longer
25 period.

1 **Part G. Heading to be used on papers**

2 The following heading must be used on all papers filed in this
3 interference, see SO ¶ 106.1.1:

4 UNITED STATES PATENT AND TRADEMARK OFFICE

5

6
7 BEFORE THE BOARD OF PATENT APPEALS
8 AND INTERFERENCES
9

10 RICHARD W. **ARNOLD**, WELDON BEARDAIN,
11 DANIEL W. PREVEDEL, DONALD E. RILEY
12 and LESTER L. WILSON
13 Junior Party
14 (Application 09/164,580),
15
16

17 v.

18 CURTIS NATHAN **POTTER**
19 Senior Party
20 (Patent 6,028,437).
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23 Patent Interference No. 105,752 (SCM)
24 (Technology Center 2800)
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1 Part H. Order form for requesting file copies

2 When requesting copies of files, use of SO Form 4 will greatly
3 expedite processing of the request. Please attach a copy of Parts E and F of
4 this DECLARATION with a hand-drawn circle around the patents and
5 applications for which a copy of a file wrapper is requested.

6 /Sally C. Medley/
7 Administrative Patent Judge

8 Enc:
9 Form PTO-850
10 Copy of STANDING ORDER
11 Copy of U.S. Patent 6,028,437
12 Copy of claims of Application 09/164,580

13 cc (via overnight UPS):

14 Attorney for Arnold:
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17 M/S 3999
18 Dallas, TX 75219

20 Attorney for Potter:
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